

IN THE CLAIMS:

Please amend without prejudice claim 1 as follows:

1. (Amended) A tube [of zirconium-base alloy] for constituting all or the outside portion of cladding for a nuclear fuel rod or of a guide tube for a nuclear fuel assembly, made of a zirconium-base alloy [containing, by weight,] consisting essentially of:
0.8 wt. % to 1.8 wt. % niobium,
0.2 wt. % to 0.6% wt. tin, [and]
0.02 wt. % to 0.4% wt. iron, plus inevitable impurities, [and having]
a carbon content controlled to lie in the range 30 ppm to 180 ppm,
a silicon content in the range 10 ppm to 120 ppm, and
an oxygen content in the range 600 ppm to 1800 ppm, with the balance zirconium.

REMARKS

This Preliminary Amendment amends original claim 1. Applicants submit that this amendment does not add new matter to the application.

Applicants have amended claim 1 by replacing the transition phrase “containing, by weight” with the phrase “consisting essentially of”. The other amendments involve adding the weight designation “wt.” to the recited percentages and the phrase “with the balance zirconium”, which underscores what had previously been implicit in the claim, namely, that apart from the listed elements, the remaining balance of the tube includes zirconium. Support for the phrase “consisting essentially of” is found at least at column 2, lines 36-38, of the ’464 patent.